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Attorney for Defendants: Casual Dining Services, Inc. dba Pizzeria Uno .

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

BARBARA HUBBARD,

Plaintiff,

v.

C.V. Center, Inc.; Jamba Juice
Company dba Jamba Juice #603;
Casual Dining Services, Inc. dba
Pizzeria Uno; Mervyn's, LLC; Starbucks
Corporation dba Starbucks Coffee
#6632; J.C. Penney Company, Inc. dba
J.C. Penney #1274; Serler, Inc. dba
Subway #31595; Manna Development
Group, LLC dba Panera Bread Café
#4284,

Defendants.

Case No. 08 cv 471 (JAH LSP)

**DEFENDANT CASUAL DINING INC.'S
NOTICE OF MOTION AND MOTION TO
DISMISS**

FRCP § 12; 28 U.S.C. §1367(c)

Judge: Hon. John A. Houston
Room: 11
Date: June 9, 2008
Time: 2:30 P.M.

TO PLAINTIFF AND HER ATTORNEY OF RECORD:

PLEASE TAKE NOTICE that on June 9, 2008 at 2:30 P.M., in Court Room 11 of the above entitled court, located at 940 Front Street, San Diego, California, Defendant CASUAL DINING SERVICES, INC. dba PIZZERIA UNO (hereinafter referred to as "defendant"), responds to the Complaint of BARBARA HUBBARD, (referenced as "plaintiff") by moving the Court to Dismiss plaintiff's state law claims in the lawsuit for all of the reasons set forth in 28 U.S.C. § 1367(c). Defendant requests that its Motion be granted to each cause of action without leave to amend.

1 This Motion is based on this Notice of Motion, the Memorandum of Points and
2 Authorities in Support hereof, any declarations or evidence filed prior to the hearing, the
3 pleadings, records and files of the federal court system, and evidence and oral
4 argument presented at the hearing on the Motion.

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7 Date: May 9, 2008

8 **NORTON ADAMS & DOWNEY LLP**

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11 By: s/William A. Adams
12 William A. Adams
13 Attorneys for Defendant
14 CASUAL DINING SERVICES, INC.
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